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May 5, 1993

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MAY - 5 1993

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

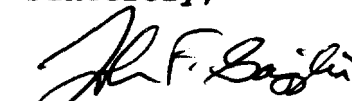
Re: Amendment of Section 73.202(b) FM Table of
Allotments (Kalispell, Montana)

Dear Ms. Searcy:

Transmitted herewith on behalf of Cloud Nine Broadcasting, the permittee of KKBR(FM), Kalispell, Montana is an original and four copies of a petition seeking the institution of a rule making proceeding to upgrade the facilities of KKBR(FM) from Channel 292A to Channel 292C2. This petition is respectfully directed to the Chief, Allocations Branch.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,


John F. Garziglia

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

MAY - 5 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments) RM _____
FM Broadcast Stations)
(Kalispell, Montana))

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

Cloud Nine Broadcasting, Inc., the permittee of KKBR(FM) on FM Channel 292A at Kalispell, Montana (FCC File No. BPH-910926MI), by its attorneys, pursuant to Section 1.401 and Section 1.420(g)(3) of the Commission's rules, hereby seeks the institution of a rule making proceeding to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules to upgrade the facilities of KKBR(FM) from Channel 292A to Channel 292C2, as follows:

	<u>Present</u>	<u>Proposed</u>
Kalispell, Montana	246C, 253C, 280C, 292A	246C, 253C, 280C, 292C2 ^{1/}

The substitution of Channel 292C2 for Channel 292A at Kalispell, Montana, and a modification of the KKBR(FM) construction permit to specify operation on Channel 292C2, will allow for upgraded service to the community of Kalispell and the surrounding areas.

This channel substitution for Kalispell may be made in the course of this rule making proceeding as the modification will

^{1/} The coordinates for the allotment of Channel 292C2 to Kalispell, Montana are the present coordinates of KKBR(FM) which are 48° 10' 34" North Latitude, 114° 20' 53" West Longitude.

occur on a mutually exclusive channel. See Section 1.420(g)(3) of the Commission's rules. Such an increase will bring expanded service to a greater area and greater population than would be served by Channel 292A. It is well settled that Commission policy encourages upgraded facilities. See Implementation of BC Docket 80-90, 2 FCC Rcd 2263 (1987); Modification of FM and Television Station Licenses, 98 FCC 2d 916 (1984). Expeditious action on this upgrade request will bring early expanded service to the community of Kalispell, Montana.


Cloud Nine Broadcasting, Inc. states its present intention to apply for the upgraded facility when allotted, and when authorized, to build a station promptly.

WHEREFORE, for the reasons above, the substitution of Channel 292C2 for Channel 292A at Kalispell, Montana, and a modification of the KKBR(FM) construction permit to specify operation on Channel 292C2, is respectfully requested.

Respectfully submitted,

CLOUD NINE BROADCASTING, INC.

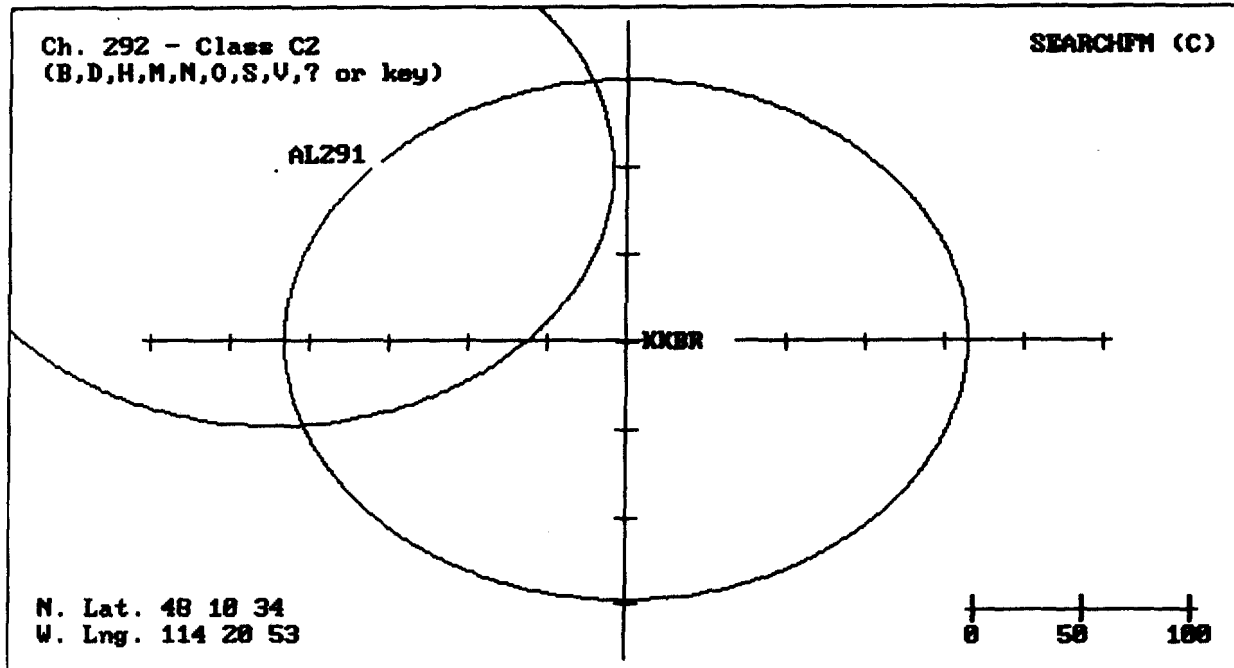
By: _____


John F. Garziglia
Its Attorney

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May 5, 1993

PEPPER & CORAZZINI
WASHINGTON D.C. 20006



Upgrade of KKBR(FM), Kalispell, Montana
to Channel 292C2

Search 05-04-93

Data 03-31-93

Current rules spacings

CHANNEL 292 -106.3 MHz

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
KKBR	292A	Kalispell	MT	0.0	0.00	166.0	-166.00 *
AL291	291B	Creston	BC	302.7	203.83	164.0	39.83